

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA,	:	
	:	
-against-	:	<u>ORDER DENYING BAIL</u>
	:	<u>APPLICATION</u>
	:	
VICTOR MONES CORO,	:	19 Cr. 144-1 (AKH)
	:	
Defendant.	:	
	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

By letter motion dated March 25, 2020, Defendant Victor Mones Coro moves for bail in light of the effects of the COVID-19 health crisis. I rule as follows:

1. Defendant's application is denied. As an initial matter, Defendant has not cited any authority establishing that 18 U.S.C. § 3142(i), the provision under which he seeks relief, can be applied to him. Section 3142 applies to defendants awaiting trial. Defendant has already pleaded guilty and is awaiting sentencing, making him subject to the more stringent standards of Section 3143. "The law sets escalating standards for release as a defendant proceeds through the criminal justice system. In particular, the law recognizes three benchmarks for considering release: before trial, after conviction but before sentencing, and after sentencing but during the pendency of an appeal. For a defendant . . . who has been convicted but not yet sentenced, section 3143(a) applies." *United States v. Chen*, 257 F. Supp. 656, 657-58 (S.D.N.Y. 2003). In any event, temporary release is not appropriate in this case.

2. Defendant will not be sentenced without a full opportunity to consult with counsel and submit a sentencing memorandum. While I appreciate the seriousness of the COVID-19 crisis, Defendant has not made a sufficient showing of a danger to his health to justify release.
3. Under the stipulated Guidelines range, Defendant faces a substantial prison sentence. He also has significant financial resources, connections to the aviation industry, and deep foreign ties. Taken together, these factors create a significant flight risk. Due to his history of participating in illegal transfers of money, he also poses a danger to the community.

The Clerk is directed to close the open motions (ECF Nos. 65, 66).

SO ORDERED.

Dated: March 27, 2020
New York, New York

/s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge